

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/516,891
 Applicant : SCHEINER, RUPERT CHRISTIAN
 Filed : DECEMBER 3, 2004
 Title : MEDICAL DEVICE

Art Unit : TO BE ASSIGNED
 Examiner : TO BE ASSIGNED

Atty Docket No. : COCH-0123-US1

Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

The below-identified communication(s) is (are) submitted in the above-captioned application or proceeding:

- Response to Notification of Missing Requirement
- Declaration and Power of Attorney (1) sheet
- Copy of Notification of Missing Requirements
- Patent Fee Transmittal for FY 2005 and Deposit Account Authorization
- Credit Card Payment Form

- The Commissioner is hereby authorized to charge payment of any fees associated with this communication, including fees under 37 C.F.R. §§ 1.16 and 1.17 or credit any overpayment to **Deposit Account Number 10-0233-COCH-0123-US1**.

Respectfully submitted,

Ajay A. Jagtiani
 Registration Number 35,205

JAGTIANI + GUTTAG
 Democracy Square Business Center
 10363-A Democracy Lane
 Fairfax, Virginia 22030
 (703) 591-2664

May 31, 2005



Patent Fee Transmittal for FY 2005

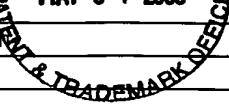
Applicant Claims Small Entity Status 37 C.F.R. 1.27

TOTAL AMOUNT OF PAYMENT

\$130.00

Application Number	10/516,891
Filing Date	3-Dec-04
Named Inventor	Scheiner, Rupert Christian
Examiner Name	To be assigned
Art Unit	To be assigned
Attorney Docket No.	COCH-0123-US1

MAY 31 2005



FEE CALCULATION

1. Filing Fees

Application Type	Description	Large Entity		Small Entity	
		Code	(\$)	Code	(\$)
Utility	Basic	1011	300	2011	150
	Examination	1311	200	2311	100
	Search	1111	500	2111	250
Design	Basic	1012	200	2012	100
	Examination	1312	130	2312	65
	Search	1112	100	2112	50
Plant	Basic	1013	200	2013	100
	Examination	1313	160	2313	80
	Search	1113	300	2113	150
Reissue	Basic	1014	300	2014	150
	Examination	1114	600	2114	300
	Search	1314	500	2314	250
Provisional	Basic	1005	200	2005	100
National Stage	Basic	1631	300	2631	150
	Examination	1633	200	2633	100
	Search	1632	500	2632	250

2. Extra Claim Fee

a. Claims as Filed

Total Claims	Extra Claims		Large Entity Code (\$)	Small Entity Code (\$)	Paid
	0	- 20 = 0			
Independent	0	- 3 = 0	x	1201 50 2201 25	\$ -
Multiple Dependent				1202 200 2202 100	\$ -
				1203 360 2203 180	\$ -

b. Claims as Amended

Total Claims	Extra Claims		Large Entity Code (\$)	Small Entity Code (\$)	Paid
	0	- 0 * = 0			
Independent	0	- 0 ** = 0	x	1201 50 2201 25	\$ -
First Presentation of Multiple Dependent				1202 200 2202 100	\$ -
				1203 360 2203 180	\$ -

3. Extra Page Fee

Total Pages	Extra Pages	Large Entity Code (\$)	Small Entity Code (\$)	Paid
0	-100 0	x	1081 250 2081 125	\$ -

Subtotal for Application Fees

$$1 \$ - + 2 \$ - + 3 \$ - = \$ -$$

4. Additional Fees

Description	Large Entity		Small Entity		Paid
	Code	(\$)	Code	(\$)	
Extension for response first month	1251	120	2251	60	\$ -
Extension for response second month	1252	450	2252	225	\$ -
Extension for response third month	1253	1,020	2253	510	\$ -
Extension for response fourth month	1254	1,590	2254	795	\$ -
Extension for response fifth month	1255	2,160	2255	1,080	\$ -
Notice of Appeal	1401	500	2401	250	\$ -
Filing a Brief in Support of an Appeal	1402	500	2402	250	\$ -
Request for Oral hearing	1403	1,000	2403	500	\$ -
Petitions under 1.17(f)	1462	400	1462	400	\$ -
Petitions under 1.17(g)	1463	200	1463	200	\$ -
Petitions under 1.17(h)	1464	130	1464	130	\$ -
Petition - public use proceeding	1451	1,510	1451	1,510	\$ -
Petition to Revive - Unavoidable	1452	500	2452	250	\$ -
Petition to Revive - Unintentional	1453	1,500	2453	750	\$ -
Utility Issue Fee	1501	1,400	2501	700	\$ -
Design Issue Fee	1502	800	2502	400	\$ -
Plant Issue Fee	1503	1,100	2503	550	\$ -
Reissue Issue Fee	1511	1,400	2511	700	\$ -
Publication Fee	1504	300	1504	300	\$ -
Statutory Disclaimer	1814	130	2814	65	\$ -

(cont.)

Description (cont.)

Description	Code	(\$)	Code	(\$)	Paid
Recording each Assignment	8021	40	8021	40	\$ -
Submission of IDS	1806	180	1806	180	\$ -
Request for Cont. Examination (RCE)	1801	790	2801	395	\$ -
Filing Submission After Final	1809	790	2809	395	\$ -
Surcharge - late filing fee or oath	1051	130	2051	65	\$130.00
Surcharge - late provisional fee	1052	50	2052	25	\$ -
Non-English Specification	1053	130	1053	130	\$ -
Processing Fee 37 CFR 1.17(q)	1807	50	1807	50	\$ -
Request for Ex Parte Reexamination	1812	2,520	1812	2,520	\$ -
Request Pub. of SIR prior to action	1804	920	1804	920	\$ -
Request Pub. of SIR after action	1805	1,840	1805	1,840	\$ -
Each Add. Invention Examined	1810	790	2810	395	\$ -
Expedited Examination (Design)	1802	900	1802	900	\$ -
Unintentionally Delayed Priority Claim	1453	1,370	1453	1,370	\$ -
Certificate of Correction	1811	100	1811	100	\$ -
Maintenance Fees 3.5 years	1551	900	2551	450	\$ -
Maintenance Fees 7.5 years	1552	2,300	2552	1,150	\$ -
Maintenance Fees 11.5 years	1553	3,800	2553	1,900	\$ -
Surcharge - Late Payment 6 mos.	1554	130	2554	65	\$ -
Other fee					\$ -

Additional Fee Subtotal \$ 130

METHOD OF PAYMENT (Check all that apply)

Credit Card (Provide credit card information and authorization on PTO-2038)

Deposit Account No.

10-0233-COCH-0123-US1

For the above-identified deposit account, the Director is hereby authorized to:

To charge the above-identified fee.

To charge any additional fees which may be required under 37 CFR 1.16, 1.17, 1.18, 1.20 and 1.492 or credit any overpayment to the deposit account number listed above.

Submitted by:

Name	Ajay A. Jagtiani	Reg. No.	35,205
------	------------------	----------	--------

Firm Jagtiani + Guttag

Address 10363-A Democracy Lane, Fairfax VA 22030

Telephone 703.591.2664 Fax 703.591.5907

May 31, 2005

Signature

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/516,891
Applicant : SCHEINER, RUPERT CHRISTIAN
Filed : DECEMBER 3, 2004
Title : MEDICAL DEVICE

Art Unit : TO BE ASSIGNED
Examiner : TO BE ASSIGNED

Atty Docket No. : COCH-0123-US1

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EU/US)

Sir:

This is in response to the Notification of Missing Requirements dated May 6, 2005, the period for response to which is set to expire on July 6, 2005.

Submitted herewith is the Declaration executed by the inventor in compliance with 37 CFR 1.497(a) and (b).

The Commissioner is hereby authorized to charge the late filing fee of \$130.00 required under 37 CFR 1.49(e) to **Deposit Account No. 10-0233-COCH-0123-US1**.

Please direct any inquiries in connection with this application directly to the undersigned.

Respectfully submitted,



Ajay A. Jagtiani
Registration Number 35,205

JAGTIANI + GUTTAG
Democracy Square Business Center
10363-A Democracy Lane
Fairfax, Virginia 22030
(703) 591-2664

May 31, 2005

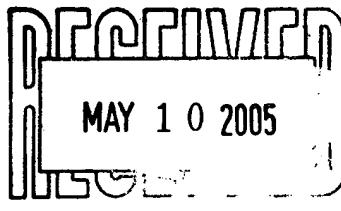


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/516,891	Rupert Christian Scheiner	COCH-0123-US1

22506
 JAGTIANI + GUTTAG
 10363-A DEMOCRACY LANE
 FAIRFAX, VA 22030



INTERNATIONAL APPLICATION NO.

PCT/AU03/00689

I.A. FILING DATE	PRIORITY DATE
06/02/2003	06/03/2002

CONFIRMATION NO. 2406
371 FORMALITIES LETTER



OC000000015937719

Date Mailed: 05/06/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/03/2004
- Copy of the International Search Report filed on 12/03/2004
- Copy of IPE Report filed on 12/03/2004
- Information Disclosure Statements filed on 12/03/2004
- Request for Immediate Examination filed on 12/03/2004
- U.S. Basic National Fees filed on 12/03/2004
- Priority Documents filed on 12/03/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/516,891	PCT/AU03/00689	COCH-0123-US1

FORM PCT/DO/EO/905 (371 Formalities Notice)